

BERNALILLO COUNTY

BOARD OF COUNTY COMMISSIONERS

ADMINISTRATIVE RESOLUTION NO. 2019, 109

**LEGISLATIVE POLICY PRIORITIES FOR THE COUNTY OF BERNALILLO
FOR THE FIFTY-FOURTH LEGISLATURE, SECOND SESSION, OF THE STATE
OF NEW MEXICO**

Correspondence will be forthcoming to the Governor requesting that messages be provided for resolution items that need messaging in order to be germane to the short session that begins January 21, 2020.

1. General County and Ongoing

- A. Oppose any legislation that 1) proposes any revenue reductions, 2) adversely affects funding sources or 3) diminishes the County's regulatory authority, provided however, that some revenue and regulatory related proposals that promote economic development, create jobs, or enhance public services will be evaluated on a case by case basis.
- B. Support increased, equitable, and continued funding to the Second District Judicial Court, District Attorney, Public Defenders, and Metropolitan Court that enables them to become more financially self-sufficient.
- C. Support a continued partnership with the State of New Mexico to increase funding for pretrial services and court initiatives, and criminal reforms that would streamline court and jail operations and funding for data sharing and integration efforts by criminal justice partners through the New Mexico Sentencing Commission and HB 267 from the 2019 legislative session.
- D. Support Public Employees Retirement Association (PERA) reform to achieve and maintain solvency and oppose any initiatives that would negatively affect PERA.
- E. Support a public option buy-in for health care coverage for the working poor who are not eligible for Medicaid.
- F. Support a memorial to study and provide recommendations to reconcile nonprofit agencies, their capital outlay requests via local governments, and the anti-donation clause.
- G. Support public private partnership (P3) legislation to make it easier to achieve partnerships without violating anti-donation issues.

2. County Manager Division, Behavioral Health, and Criminal Justice Coordination

- A. Support additional and ongoing economic development funding statewide through more Local Economic Development Act (LEDA) and Job Training Partnership Act (JTPA) funds and other local economic development tools.

- 1 B. Support appropriations to the Bernalillo County Criminal Justice Coordinating
2 Council (BCCJCC) that will support the Council's operations and criminal justice
3 reform efforts as indicated in the CJCC Strategic Plan.
4
- 5 C. Support increased funding to implement data integration as addressed in HB
6 267, SB 536, and HB 548 from the 2019 legislative session. The Bernalillo
7 County Criminal Justice Coordinating Council provides an existing model that
8 can be adopted by other coordinating councils. Implementation funding for the
9 effort in Bernalillo County, as well as start-up funding for the other judicial
10 districts in the state, is needed particularly for coordinating initial integration
11 projects and establishing appropriate technologies. Funding will also help the
12 Bernalillo County Criminal Justice Coordinating Council address conclusions
13 and recommendations from the Legislative Finance Committee's July 2018
14 report entitled "*Program Evaluation: Review of the Criminal Justice System in*
15 *Bernalillo County.*"
16
- 17 D. Continue to support criminal justice or behavioral health reforms and/or funding
18 requests that seek to reduce recidivism and criminal activity, promote data sharing
19 and improve relevant processes through funding for programs and resources for
20 those facing criminal charges or who are on pre-trial supervision, probation, or
21 are transitioning from incarceration to the community.
22
- 23 E. Support criminal penalty reforms and behavioral health reforms related to
24 associated rehabilitation efforts, expansion and research of the Public Safety
25 Assessment, and expansion of treatment services and programs at every
26 intercept of criminal justice/behavioral health continuum.
27
- 28 F. Support a Health Professional Recruitment and Licensure Reciprocity Bill to
29 require all health professional, counselling, and social work-related boards and
30 commissions overseen by the Regulation and Licensing Department (RLD) and the
31 Board of Nursing and the Medical Board to submit reports that identify any and all
32 board/commission requirements that are not required nationally that could be
33 eliminated or changed to facilitate others with those licenses from other states
34 to practice in NM.
35
- 36 G. Support earmarked funding for Loan Repayment/Debt Forgiveness/Health Service
37 Corps Programs for behavioral health professionals wishing to serve in rural New
38 Mexico and underserved areas of Bernalillo County to expand the number of
39 mental health providers who can participate in such programs and serve
40 underserved areas.
41
- 42 H. Support an appropriation of \$2,000,000 for Law Enforcement Assisted
43 Diversion (LEAD) in HB 2 for general support and expansion of LEAD as a cost-
44 effective diversion and recidivism reduction program.
45
- 46 I. Monitor, evaluate, and given Bernalillo County's role in the criminal justice

- 1 system, support, when appropriate, initiatives that seek to implement reforms that
2 improve access to treatment and diversionary programs as well as other beneficial
3 services, increase equitable funding for relevant stakeholders, streamline processes,
4 and promote efficiency within the criminal justice system as a whole. Oppose
5 efforts that could promote or cause inefficiencies and inequities in the criminal
6 justice system and reduce access to beneficial programs that will reduce
7 recidivism, improve access to services and promote efficiency in the system.
- 8 J. Urge the State of New Mexico Human Services Department to expedite and
9 increase Medicaid funding and provider reimbursement for services associated with
10 behavioral health crisis funding, including Medicated Assisted Treatment and
11 inpatient and residential treatment for substance use disorders, and response
12 regulations as part of a robust case management system.
- 13 K. Support legislation to allow Medicaid reimbursement for behavioral health crisis
14 response treatments and services in hospital and residential settings.
- 15 L. Urge the State of New Mexico Human Services Division to seek Medicaid
16 reimbursable funding to leverage the federal 4:1 match, for crisis response
17 services such as a triage center, for all services associated with behavioral
18 health crisis funding and response regulations, and for an increase to the
19 behavioral health reimbursement rate schedule.
- 20 M. Expand Medicaid transportation services for behavioral health clients to
21 provide transportation for the high volume of behavioral health utilizers,
22 instead of simply based on medical need, to allow utilizers to stay out of crisis
23 for longer periods of time.
- 24 N. Seek statutory or regulatory authority to maximize locally generated revenues
25 including mill levy funds and tax increment revenue by leveraging Medicaid
26 through intergovernmental transfers (IGTs) and certification of public
27 expenditures (CTE's).
- 28 O. Oppose legislation that would diminish funding for LDWI funds to HSD or to
29 any other programs, offices, or departments. Provided however, that if
30 provisions in contract, rule or statute assures an equivalent or greater amount of
31 prevention or treatment resources for existing alcohol or substance abuse
32 services for Bernalillo County, including social model detox, then a diversion
33 of funds for the purpose of matching federal Medicaid funds may be considered
34 for support.
- 35 P. Propose and/or support legislation requiring the Human Services Division to
36 increase the compensation paid for forensic competency evaluations ordered in
37 criminal proceedings in order to ensure a sufficient number of qualified evaluators
38 to mitigate the current undue delay and unnecessary incarceration while waiting for
39 competency evaluations.
- 40 Q. Support legislation and/or funding that:
- 41 1) Increases funding for school-based health centers, case management, mental
42 health, and substance abuse counseling in public schools.
- 43 2) Supports funding for early childhood intervention programs.
- 44 3) Addresses food insecurities in low-income schools.
- 45 4) Creates more services for youth aging out of foster care.
- 46 R. Support legislation that addresses the complex needs of New Mexico's vulnerable

families by enabling the sharing and analysis of data across agencies and promoting cross-sector research and collaboration to identify evidence-based programs.

S. Monitor, evaluate, and if appropriate support efforts to revise, update or reform the criminal code in a manner that protects public safety through sensible reforms that streamline the criminal code and promote efficacy and fairness within the criminal justice system, including the competency statute, certain violent felony offenses, certain nonviolent offenses, and certain sentencing provisions.

T. Remove Narcan possession as a probation violation.

U. Support legislation that allows an MDC-issued booking sheet with a fingerprint number to be used, within 30 days of release from MDC, for the purpose of securing a New Mexico ID.

3. Bernalillo County Sheriff's Office

A. Amend State Statute 4-41-16 to increase the legal processing service fee from \$40 per case to \$60 per case. This increase is required to cover BCSO's full and variable costs for processing each case. Case processing involves either a court writ, order, subpoena, or summons each of which has different notification and documentation requirements that rely on BCSO human and material resources to varying degrees.

B. Support any independent funding initiatives initiated by BCSO individually or jointly with APD that would focus on updating and improving the equipment, training facilities and software and hardware systems these law enforcement agencies use to improve and enhance their policing, data sharing, investigative and case processing abilities.

4. Community Services Division

A. Support legislation that would provide for limited liability in agro-tourism activities.

B. Support increased legislative funding for the Community Schools Act that extends learning opportunities, increases family engagement and support services, and supports school-based or linked health care.

C. Support recurring operational funding in HB 2 or other appropriation bill for a Bernalillo County Tiny Home Village for the homeless.

5. Finance Division

A. Support GRT Reform legislation that does not negatively affect counties, and provides flexibility and authority to counties in developing and implementing local tax policy.

B. Support legislation that allows local county and city governments to review state data relative to tax distributions to local jurisdictions.

6. Public Works Division

A. Urge the State of New Mexico to pursue primacy for the National Pollution Discharge Elimination System (NPDES) program by the New Mexico Environment Department instead of the Environmental Protection Agency's Region VI office in Dallas, TX.

B. Support changes in state law (67-2-2, 67-4-13, 67-4-41) to give counties and municipalities more rights to refuse maintenance of state-owned facilities due to normal wear and tear. Currently, various provisions of state law and administrative code shift financial responsibilities of facilities maintenance, due to jurisdiction and financial hardship, to local government regardless if the facility is state or federally maintained.

NOW, THEREFORE, be it resolved by the Board of County Commissioners, the governing body of the County of Bernalillo, adopts the Legislative Policy Priorities for the County of Bernalillo for the 54th Legislature, Second Session.

DONE, this 11th day of December, 2019.



BOARD OF COUNTY COMMISSIONERS

Maggie Hart Stebbins
Maggie Hart Stebbins, Chair

Debbie O'Malley
Debbie O'Malley, Vice Chair

Steven Michael Quezada
Steven Michael Quezada, Member

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Lonnie C. Talbert, Member

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Charlene E. Pyskoty, Member

APPROVED AS TO FORM:

W. Ken Martinez
W. Ken Martinez, County Attorney

ATTEST:

Linda Stover
Linda Stover
County Clerk